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February 18, 2025

TO BE FILED UNDER SEAL

Hon. Lorna G. Schofield
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: United States v. Stephanie Davila,
Criminal Docket No. 24-467

Dear Judge Schofield:

Please accept this letter as defendant Stephanie Davila's sentencing submission. Due to the sensitive, confidential and highly personal nature of some of the material contained herein, I request that it be filed under seal.

Overview

Ms. Davila pled guilty to a one count Superseding Information charging her with Conspiracy to Commit Honest Services Wire Fraud pursuant to a plea agreement with the Government. In that plea agreement, the parties agreed that the correct sentencing range pursuant to the U.S. Sentencing Guidelines was 12-18 months. Both sides reserved the right to ask the Court to sentence either above or below the Guidelines, and we are respectfully requesting that Ms. Davila's sentence not include prison time.

Ms. Davila's participation in this crime was not due to greed, or hatred, or anger or any of the other motivations that usually underlie criminal behavior. Ms. Davila's background and the nature of the crime at issue make it extremely unlikely that she will ever recidivate. This is not, by any means, an attempt to minimize Ms. Davila's culpability, or to suggest that the crime she committed was not very serious.

For the reasons contained herein, in the Pre-Sentence Report and in the Report prepared by Robyn Landow, Ph.D., a very experienced forensic psychologist, we are attempting to outline the very unusual circumstances and motivation behind Ms. Davila's behavior.

Ms. Davila's Background

Stephanie Davila was born on February 16, 1994 to Angel Davila and Cynthia Bonilla. At the time of her birth, her father was 16 years old and her mother was 19. Angel Davila, Ms. Davila's father was shot and killed during Stephanie's infancy. Eventually the perpetrator of this crime was caught, tried, found guilty and incarcerated.

Ms. Bonilla, Stephanie's [REDACTED]

[REDACTED] These relationships produced three more children, Davin, age 28, Celia, age 23, and Kason, age 14. [REDACTED]

At a very early age, Stephanie was largely left to fend for herself, and [REDACTED] when she stayed occasionally with her paternal grandmother, who provided food and clothing and a safe place to stay when Stephanie [REDACTED] to be at home.

Stephanie's Life At Home

When Stephanie did live with her mother, her mother began turning over all responsibility for her siblings to Stephanie, including providing meals, clean clothes, and seeing to it that the younger siblings attended school.

[REDACTED]

[REDACTED]

[REDACTED]

In short, Stephanie never had [REDACTED] that a family is supposed to provide to children. Despite this, [REDACTED] Stephanie [REDACTED] at the hands of her mother, [REDACTED], she continued to live primarily at her mother's home with the occasional previously discussed [REDACTED] visits to her grandmother.

Despite these [REDACTED], Stephanie somehow managed to progress through school on the regular schedule and avoided the drug use and other criminal activity that prevailed among many of the young people in the neighborhoods in which she lived.

During her high school years she began to develop an interest in boys. This posed two problems for Stephanie. [REDACTED]

[REDACTED]

[REDACTED] Unfortunately, each of these relationships were also [REDACTED], continuing to leave Stephanie's grandmother as the [REDACTED] any love or kindness.

Ms. Davila Obtains Her Bachelor's Degree and Begins Employment

After high school Stephanie enrolled at John Jay College in the CUNY

system, and obtained a Bachelor's Degree in Police Science in 2016, at the age of 22. In 2017, at the suggestion of a cousin on her father's side, who was already a Corrections Officer, she took the Corrections Officer exam, passed and began working at Rikers Island on January 1, 2018. She performed the duties of her job without incident.

In 2020, she met [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

While on a rare occasion a prisoner and guard would begin [REDACTED]
[REDACTED], it was simply for [REDACTED]. Stephanie somehow believed, [REDACTED]
[REDACTED]
[REDACTED]

At least at the beginning, Stephanie could hold out hope that [REDACTED] would be acquitted and released. In fact, however, he was convicted of manslaughter and sentenced to 20 years. This further limited the prospect of [REDACTED]
[REDACTED] with [REDACTED], but again Stephanie's [REDACTED]
[REDACTED], and Stephanie stayed loyal to [REDACTED]

In the meantime, without Stephanie's knowledge, [REDACTED] had begun a smuggling operation to supply other Rikers inmates with controlled substances, cell phones and other contraband. He had begun to use other guards to smuggle these things into the jail, and soon recruited Stephanie to be one of the smugglers.

Stephanie knew that this behavior was criminal and a violation of the oath she took when she began work as a Corrections Officer. Her better judgment was overcome [REDACTED]
[REDACTED] She believed that the only way to keep what she believed Francisco was offering was to agree to his request.

She began to bring contraband into the jails, and set up bank accounts on the outside in her name in which to deposit the proceeds of Francisco's smuggling.

It was made completely clear to her that the contents of the bank accounts belonged exclusively to Francisco, and that she could not withdraw any of the money without his express permission. While Francisco did occasionally authorised her to withdraw some of the money for her own use, money was never Stephanie's motivation. She engaged in the smuggling [REDACTED]
[REDACTED]

Stephanie never enjoyed working as a Corrections Officer, and in April of 2021 she resigned. Her relationship with Francisco and her participation in Francisco's smuggling operation continued. While she could no longer smuggle contraband into Rikers Island, on a few occasions she acted as an outside courier, bringing the contraband from its supplier to one of the prison guards that was still smuggling the contraband into Rikers Island. She also continued to maintain [REDACTED]ev
identified when she agreed to [REDACTED] 2022 request [REDACTED] so that when he was sent to a state prison, [REDACTED]

Eventually Stephanie realized how completely and totally wrong her behavior had been. She had already stopped her involvement in F [REDACTED] smuggling ring, and In March 2024 she told [REDACTED] that she planned [REDACTED] him.

The Consequences of a Jail Sentence for Ms. Davila

It is respectfully suggested that the well recognized criteria a sentencing judge must consider will not be furthered by sending Ms. Davila to jail. The fact of a felony conviction will serve as serious punishment for Ms. Davila. She will lose her opportunity to enter a special program at LaGuardia Community College in the Fall which she hopes will serve as an entre to a new field. Her employment options In any kind of law enforcement related job will be severely limited. Opportunities requiring government licensing will be unavailable to her. Should she ever wish to seek new housing, landlords are legally entitled to deny her application based on her conviction. The social stigma of a felony conviction, by itself, will permanently mark this 31 year old woman's life forever.

Second, her background as a former prison guard will subject her to the threat of harassment, and even physical violence, from fellow inmates. If the prison in which she serves her sentence were to separate her from the general population for her safety she would lose the opportunity to participate in any

special programs the facility might have. Her isolation [REDACTED], a problem which I'm sure this Court is aware of generally in prison populations.

Conclusion

Stephanie Davila has fully accepted responsibility for the serious crime she committed. She is remorseful and ashamed that her intense desire for the family life she has been denied so clouded her judgment that she engaged in criminal behavior for the first and what will certainly be the only time. Her behavior has permanently impacted this 31 year old woman's life, a circumstance that she recognizes is completely justified. It is respectfully suggested that a jail sentence is not necessary to achieve any of the purposes the law has established as appropriate criteria when fashioning a sentence.

Attached to this letter are the reports from Dr. Landow and Williamsburg Mental Health Care, as well as letters of support from Stephanie's friends and former employers. The letters have been retyped for ease of the Court's consideration but have been prepared with careful adherence to the contents of the originals. Her letter of acceptance from LaGuardia Community College is also attached.

Respectfully submitted,

/s/ Lawrence D. Gerzog

Lawrence D. Gerzog

Report of Dr. Robyn Landow

REDACTED

Report of Williamsburg Mental Health
Care

REDACTED

Letters of Support and LaGuardia
Acceptance Letter

Included